

**OFFICIAL**

Attorney Docket No.: 49674 CPA (72024)

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE CENTRAL FAX CENTER

FEB 18 2004

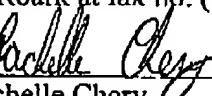
<b>APPLICANTS</b>	Proost, et al.	<b>EXAMINER:</b>	Roark, Jessica H.
<b>U.S.S.N.:</b>	09/537,858	<b>GROUP:</b>	1644
<b>FILED:</b>	March 28, 2000	<b>Conf. No.</b>	5522
<b>FOR:</b>	<b>AMINO-TERMINALLY TRUNCATED RANTES AS CHEMOKINE ANTAGONISTS</b>		

Technology Center 1600  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

---

CERTIFICATE OF FACSIMILE

I hereby certify that this Supplemental Amendment is being sent via facsimile on 18 February 2004 addressed to: Technology Center 1600, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; Attn: Examiner Jessica H. Roark at fax no. (703) 305-3014.

By   
Rachelle Chery

---

---

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Supplemental Amendment to the Non-Final Office Action mailed on January 15, 2004.

Attorney Docket No.: 49674 CPA (72024)  
U.S. Application No.: 09/537,858

**STATUS**

[ ] a small entity.

**EXTENSION OF TERM**

**NOTE:** "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

**NOTE:** See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

- (a) [ ] Applicant petitions for an extension of time under 37 C.F.R. § 1.136 (fees: 37 C.F.R. § 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension <u>(months)</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[ ]	one month	\$ 110.00	\$ 55.00
[ ]	two months	\$ 410.00	\$205.00
[ ]	three months	\$ 930.00	\$465.00
[ ]	four months	\$1,450.00	\$725.00

Fee: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Amendment Transmittal—page 2 of 5)

Attorney Docket No.: 49674 CPA (72024)  
U.S. Application No.: 09/537,858

*(check and complete the next item, if applicable)*

- [ ] An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of  
\$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$\_\_\_\_\_

OR

- (b) [X] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

#### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

[Col. 1] Small Entity	[Col. 2]	[Col. 3] Small Entity	Other Than a
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate
Total	Minus	=	x \$ 9 \$
Indep.	Minus	=	x \$42 \$
[ ] First Presentation of Multiple Dependent Claim		+\$140 =	+ \$280 = \$
		Total Addit. Fee: \$0.00	Total Addit. Fee \$ .00

(Amendment Transmittal—page 3 of 5)

Attorney Docket No.: 49674 CPA (72024)  
U.S. Application No.: 09/537,858

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,
- \*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "*After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made.*" 37 C.F.R. § 1.116(a) (*emphasis added*).

(complete (c) or (d), as applicable)

(c)  No additional fee for claims is required.

OR

(d)  Total additional fee for claims required

#### FEE PAYMENT

5.  Attached is a check in the sum of \$\_\_\_\_.  
 Charge Account No. 04-1105 the sum of \$

#### FEE DEFICIENCY

**NOTE:** *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

(Amendment Transmittal—page 4 of 5)

Attorney Docket No.: 49674 CPA (72024)  
U.S. Application No.: 09/537,858

6.  If any additional extension and/or fee is required, charge Account No. 04-1105.

Respectfully submitted,

Date: February 18, 2004

By: Dianne Rees

Dianne M. Rees, Ph.D.  
Registration No. 45,281  
EDWARDS & ANGELL, LLP  
*Intellectual Property Group*  
PO Box 55874  
Boston, MA 02205  
Telephone: 617-439-4444  
Fax: 617-439-4170

Customer No: 21,874

DOS2\_434238.1

(Amendment Transmittal—page 5 of 5)

PAGE 9/9 \* RCVD AT 2/18/2004 5:08:17 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-2/3 \* DNIS:7468000 \* CSID:6174394170 \* DURATION (mm:ss):02:38

FEB-18-2004 WED 05:09 PM EDWARDS & ANGELL

FAX NO. 617 439 4170

P. 01/09

*Leff*  
**RECEIVED  
CENTRAL FAX CENTER**

**Edwards & Angell LLP**

101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170  
[www.EdwardsAngell.com](http://www.EdwardsAngell.com)

**FEB 18 2004**

**OFFICIAL**

Date : February 18, 2004

From : Dianne M. Rees, Ph.D.

Fax : 617-439-4170

Direct : 888-951-3351

To : Examiner Jessica H. Roark

Fax : 703-305-3014

Direct :

Pages : 9

(including cover sheet)

If you received a partial delivery, please call Rachelle Chery at 617-951-3341.

Re :

**Fax**

**Confidentiality Note :** The documents accompanying this facsimile contain information from the law firm of Edwards & Angell, LLP, which may be confidential and/or privileged. The information is intended for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile is strictly prohibited, and that the documents should be returned to this firm immediately. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you.

**OFFICIAL**

Attorney Docket No.: 49674 CPA (72024)

**RECEIVED  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
CENTRAL FAX CENTER****FEB 18 2004**

APPLICANTS	Proost, et al.	EXAMINER:	Roark, Jessica H.
U.S.S.N.:	09/537,858	GROUP:	1644
FILED:	March 28, 2000	Conf. No.	5522
FOR:	AMINO-TERMINALLY TRUNCATED RANTES AS CHEMOKINE ANTAGONISTS		

\*\*\*\*\*

**CERTIFICATE OF FACSIMILE**

I hereby certify that this Supplemental Amendment is being sent via facsimile on 18 February 2004 addressed to: Technology Center 1600, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; Attn: Examiner Jessica H. Roark at fax no. (703) 305-3014.

By   
Rachelle Chery

\*\*\*\*\*  
Technology Cneter 1600  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**SUPPLEMENTAL AMENDMENT**

Dear Sir or Madam:

In response to a telephone conference with the Examiner on January 12, 2003, Applicants provide a listing of the claims considered as pending in their Amendment and Response filed September 30, 2003. The claims have been renumbered to correct inadvertent misnumbering which occurred in Applicants' Amendment and Response. Certain amendments have been made herein to correct dependencies of claims required by this renumbering.

All remarks concerning the rejections and objections made in the previous office action are incorporated by reference herein with respect to these claims.